

**IN THE  
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND**

BETHEL MINISTRIES, INC.,

\*

*Plaintiffs,*

\*

v.

\*      No. 1:19-cv-01853-ELH

DR. KAREN B. SALMON, *et al.*,

\*

*Defendants.*

\*

\*      \*      \*      \*      \*      \*      \*      \*      \*      \*      \*

**MOTION TO DISMISS**

For the reasons stated in the accompanying memorandum, State Superintendent Dr. Karen B. Salmon, along with Broadening Options and Opportunities for Students Today (“BOOST”) Board Chair Matthew Gallagher and BOOST Board members Marva Jo Camp, Linda Eberhart, Dr. Nancy S. Grasmick, Elizabeth Green, Beth Sandbower Harbinson, and Dr. A. Skipp Sanders (collectively “the BOOST Board”), all sued in their official capacities, move to dismiss Count I of the complaint for lack of subject matter jurisdiction under Federal Rule of Civil Procedure 12(b)(1) and all counts for failure to state a claim upon which relief can be granted pursuant to Federal Rule of Civil Procedure 12(b)(6).

A proposed order is attached.

Respectfully submitted,

BRIAN E. FROSH  
Attorney General of Maryland

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/s/  
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September 3, 2019

Attorneys for State Defendants

## **CERTIFICATE OF SERVICE**

I certify that, on this 3rd day of September, 2019 the foregoing was served by CM/ECF on all registered CMF users.

/s/ Sarah W. Rice

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Sarah W. Rice